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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,943	07/07/2003	Alfred R. Globus		6749
43399	7590	03/21/2007		
EVELYN M. SOMMER 250 PARK AVE RM 825 NEW YORK, NY 10221			EXAMINER PAK, JOHN D	
			ART UNIT	PAPER NUMBER
			1616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
30 DAYS		03/21/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/613943

7/7/2003

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EXAMINER

PAK, J.

ART UNIT	PAPER
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1616

20070313

DATE MAILED:

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Commissioner for Patents

The reply filed on 12/4/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): As fully and thoroughly explained in the previous Office action (11/17/2006), it is improper in an RCE to cancel all claims directed to the elected invention and present only claims directed to a non-elected invention. MPEP 706.07(h). This is exactly what applicant has done. Applicant seems to be under the mistaken impression that an improper amendment for an RCE can somehow be made right by referring the case as a divisional application. This is incorrect. Applicant must file a separate divisional application, because this RCE cannot obtain continued examination on a distinct invention that was previously non-elected, as fully explained in the previous Office action. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). Applicant is hereby given advance notice that the next time a non-responsive amendment is filed, the period for response set forth in this Office action will continue to run and will not be reset.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to JOHN PAK whose telephone number is (571)272-0620. The Examiner can normally be reached on Monday to Friday from 8 AM to 4:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's SPE, Johann Richter, can be reached on (571)272-0646. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-1600.

John Pak
Primary Examiner
Technology Center 1600